



Empty Property Management Policy

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This document can be produced in different formats, for example, in larger print or audio-format, and in other languages, as appropriate.

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Note: The Association is mainly referred to as “we” in this policy. Our management of empty homes policy is also referred to simply as “the policy.”

Section 1: Context

Management of empty homes policy

This policy describes New Gorbals Housing Association's approach to manage turnover in our housing, i.e. where an existing tenancy comes to an end, and it is necessary to re-let the property.

Our policy sets out the principles through which we will meet our commitments to managing our empty homes and is supported with an internal operational procedure.

We are committed to ensuring equal opportunities and fair treatment for all people in its service provision and work in the community. This policy will not discriminate against any person on the grounds of age, disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

Summary

Our policy, with related procedures, is an operational policy that is used to help us quickly re-let properties vacated through termination of the tenancy by the tenant, voluntary transfer, mutual exchange, the death of the tenant, abandonment or eviction.

Section 2: Law and guidance

The regulatory framework

Our approach to managing our empty homes is determined by our statutory and contractual obligations.

The Housing (Scotland) Act 2001 is the main Act that sets out the main requirements of our policy. The specific parts of this legislation that are most relevant to the empty homes policy are:

- Section 27 of the Housing (Scotland) Act 2001 states that landlords must ensure the house is, at the start of the tenancy, wind and watertight and reasonably fit for human habitation. Before the tenancy starts, the landlord must inspect the property and carry out any work to ensure the property meets this standard. The landlord must ensure any work required is carried out within a reasonable period of time.
- Sections 17 and 18 of the Housing (Scotland) Act 2001 sets out requirements for the recovery of abandoned properties.
- Section 30 provides a right for tenants, in certain circumstances, at the end of tenancy to receive compensation for improvement work carried out by the tenant.

Other legislation relevant to this policy include,

- Housing (Scotland) Act 1987
- Housing (Scotland) Act 2006
- Equalities Act 2010
- Disability discrimination Act 1995
- Disability discrimination Act 2005
- Gas Safety (Installation and Use) Regulations 1998
- Health and safety at work Act 1974
- Control of Asbestos at Work Regulations 2002

The main regulatory standard

The Scottish Social Housing Charter ((Scottish Social Housing Charter, 2012) has a specific standard that requires us to perform all aspects of our housing services so that:

“Every tenant and other customer has their individual needs recognised, is treated fairly and with respect, and receives fair access to housing and housing services”. (Outcome 1: Equality)

In managing our empty homes the other relevant outcomes are:

Social landlords manage their businesses so that:

- “tenants’ homes, as a minimum, meet the Scottish Housing Quality Standard (SHQS) by April 2015 and continue to meet it thereafter, and when they are allocated, are always clean, tidy and in a good state of repair”. (Outcome 4: Quality of housing)
- “Tenants get the information that they need on how to access support options to help them to remain in their home and can get suitable support including services provided directly by the landlord and by other organisations”. (Outcome 11: Tenancy sustainment)
- “tenants, owners and other customers receive services that provide continually improving value for the rent and other charges they pay”. (Outcome 13: Value for money)

Summary

This section has summarised specific Acts that are important to empty property management. Reference has also been made to relevant guidance.

Section 3: Policy objectives

Key aims and objectives

Our policy is supported by a range of operational procedures for managing empty homes and we have established a re-let standard for empty properties.

Our key aims and objectives are to;

- Maximise rental income by re-letting empty homes as quickly as possible.
- Present empty homes in a good standard of repair and cleanliness.
- Achieve a balance between controlling expenditure and maintaining a minimum standard for our properties.
- Ensure good clear communication with our tenants, potential tenants, internal staff, partner agencies and contractors.
- Pre-allocate properties before they become empty, wherever possible.
- Make best use of our available housing stock to help meet housing need and aspiration.
- Allocate empty homes in line with our annual letting plan targets and priorities identified in our allocations policy.
- Measure our performance in achieving our targets and benchmark with other Registered Social Landlords to identify service improvements.
- Ensure equal opportunities and fair treatment for all people in its delivery.
- Demonstrate compliance with all relevant legislation, the Scottish Social Housing Charter and recognised good practice.

Section 4: Tenancy agreement contractual responsibilities

Contractual responsibilities

Our policy takes account of the contractual obligations within our tenancy agreements for both us as a landlord and our tenants when they decide to bring their tenancy to an end.

A tenancy of one of our properties can come to an end for the following reasons:

- By notice from our tenant - our tenant or joint tenant provide 28 days' notice, in writing, of their intention to end their tenancy.
- By written agreement - we will agree to a tenant giving more than 28 days' notice if this helps our tenant to move to their new home. We will also agree to a shortened notice period if we have a new tenant ready to move before the end of the tenancy date.
- By court order - we have a court order allowing us to evict our tenant.
- By abandonment - we believe our tenant has left the house and is living elsewhere and we have served legal notice to end the tenancy.
- By death - on the death of our tenant where no other person qualifies to succeed to the tenancy.
- By voluntary transfer – where our tenant transfers to another one of our properties we will agree to end the original tenancy.

Our responsibilities

When we receive notification that one of our tenancies is ending we will:

- Accept 28 days' notice in writing from our tenant.
- Acknowledge receipt of the notice and make arrangements to inspect, repair and pre-allocate the house.
- Advise our tenant of any re-chargeable repairs due to damage or neglect within their tenancy.
- Carry out any repairs which should have been done by our tenant and recharge the cost to them.
- Identify and assess the quality of any improvement and alterations carried out by our tenant and pay compensation where applicable.

- End the rent account from the date the keys were returned or the agreed date of termination, whichever is the later, and return any money owed to the tenant.

Our tenant's responsibilities

When ending their tenancy our tenant must:

- Allow us into our property to assess the level of repairs required by either our tenant or by us before a new tenant can move into the house.
- Complete any repairs that they are responsible for before moving out of the house.
- Allow us and our potential new tenant into the house for viewings, if convenient and agreeable during the notice period.
- Leave the house in a good and clean condition.
- Give us a forwarding contact address.
- Return the keys to the house on the date the tenancy ends.

Section 5: Implementing our management of empty homes policy

Minimum lettable standard

We have established a minimum lettable standard for all of our properties and this is detailed in Appendix 1. Our standard commits to:

- Carry out all necessary safety and security checks.
- Complete minor repairs.
- Allocate our houses in a clean condition.

In some circumstances we may use discretion and award a decoration allowance if the property is in poor decorative order. This should be the exception and only when predicted or actual increased refusals are impacting upon rent loss.

Enhanced improvement works

In meeting our minimum letting standard, we will also carry out enhanced improvement works when homes that were not modernised as part of our improvement programmes in the following areas become available:

- Hutchesontown
- Silverfir Court
- Waterside
- Riverside high rise

Targets for repairs and re-lets

There are 4 stages to managing empty homes:

- Ending the existing tenancy
- Selecting our new tenant
- Repairing our properties
- Creating the new tenancy.

Our managing empty homes procedure that accompanies this policy provides more detail for each of the 4 stages. We will work to the target timescales in managing our empty homes to ensure that our practices and

procedures are as efficient as possible in meeting our objectives. The targets are detailed in Appendix 2.

Section 6: Performance Monitoring

We will monitor our performance in achieving our targets and service standards on an ongoing basis.

We will provide regular reports to our Property Management Sub-Committee (Housing Management) on our performance, targets and service.

We will also conduct periodic self-assessment of our performance in managing our empty homes and draw on input from our tenants to identify areas for improving our service.

Section 7: Consultation

What we consult about

Housing law sets out what we are to consult about; this is supported in practice by consultation requirements within the Scottish Social Housing Charter.

Our Communication Strategy and Tenant Participation Policy describe the wide range of methods that we use to consult with our tenants and other service users. Examples include consultation in writing, general meetings, open days, focus groups and engagement with our tenants' panel.

Our strategy is based, not only on the law, but also good practice guidance. This means that we encourage consultation from a wide range of groups; and take account of equality issues to support consultation.

For our empty homes service, we will:

- Gather feedback from our new tenants about their satisfaction with the house at the start of their tenancy and through subsequent settling in visits.
- Monitor comments and complaints from our tenants, and use these to improve our service delivery.
- Involve our tenants in reviews about wider policy issues by using a scrutiny panel, tenants' panel, focus groups, surveys and feedback.

Summary

We promote consultation with our employees, our tenants and other service users. We do this through a wide range of methods, including consultation in writing, meetings, forums and working groups.

Section 8: Complaint handling procedure

We use a Complaints Handling Procedure that was developed for housing associations throughout Scotland. This complaint system was developed by the Scottish Public Services Ombudsman.

In line with housing law, we provide all of our tenants with detailed information about our Complaints Handling Procedure when they become our tenants. We also advise all service users about their right to complain.

A complaint is defined as being:

“An expression of dissatisfaction by one or more members of the public about the housing association’s action or lack of action, or about the standard of service provided by or on behalf of the housing association.”

Section 9: Policy Review

We review our organisational policies every five years, or earlier if required. For example, we may review sooner to reflect changes in law or, if guidance changes occur. We may also decide to make changes requested by our tenants.

Appendix 1: Minimum lettable standard

Works	Minimum Standard
Adaptations	All adaptations must be inspected to ensure that they are fully operational and meet with the needs of the incoming tenant where possible.
Back Door	Minimum mortice on timber door or security lock on double glazed door. Check for security and drafts/water ingress.
Bathroom Suite	Bathroom suite to be checked for chips/cracks. Where replacement of a part of the suite is required the available colour match should be investigated. If colour match is not available a 3 piece white bathroom suite to be installed.
Decoration	The Association is generally not responsible for the condition/level of decoration in a property. However, where the condition of the decoration is deemed to be so bad as to affect the likelihood of anyone accepting the property, then a minimum decoration allowance may be given. See Decoration Allowance Policy.
Electrics	All electrics must be checked and a certificate of inspection copied to house file. Alteration to the electric system clearly undertaken by the tenant to be removed unless compliance certificate covers them.
Floors	All loose and missing floorboards to be re-secured/ replaced. Floor surface to be even to allow carpets to be laid.
Front Door	Minimum mortice on timber door or security lock on double glazed door. Check security and drafts/water ingress.
Garden Areas	Gardens attached to the property will be cleared of rubbish.
Gas	All houses with gas central heating to have a full gas safety check undertaken and compliance certificate issued to new tenant, copy to house file.
Gas/Electric Cooking	Where the previous tenant has left a gas or electric cooker, this will be removed as we are unable to certify their safety.
General Cleanliness	The house will be cleared of furniture, carpets and belongings/ rubbish from the previous tenant. Floors to be swept out, kitchen and bathrooms surfaces to be washed down. Attics, basements and out buildings to be emptied.
Internal Pass Doors	All pass doors should be intact and operating properly. Bathroom doors to have locking device properly fitted.
Kitchen Units	All kitchen units to be thoroughly checked and hinges replaced/adjusted where necessary. Damaged drawers and doors should be replaced, where possible. Damaged worktops as a result of burning/water ingress should be replaced where appropriate.
Shower Unit	Any instantaneous electric shower which has not been fitted by the Association and does not meet the appropriate standard will be removed & re-tiling done as required. Where shower is retained it must have a screen or shower rail.
Skirtings and facings	Missing or badly damaged skirtings/facings to be replaced. If possible to repair - should be re-secured and filled where necessary.
Smoke Alarm	Smoke alarm(s) to be tested as part of the electric safety check.
Water Supply	During the months October - April or during severe cold spells, consideration paid to whether stopcocks should be shut off and the water supply drained down.
Windows	All windows should be fully operational and checked for safety. Window keys to be issued to tenants where we have fitted locks.

Appendix 2: Managing our empty homes targets for repairs and relets

Action	Target timescale
Our tenant advises of their intention to terminate tenancy	
Termination notice and end of tenancy procedures issued to our tenant by housing management staff	Within 5 working days
Pre-termination inspection carried out	Within 10 working days of our tenant advising intention to end tenancy
New tenant selection completed and provisional offer issued	Within 15 Working days of our tenant advising intention to end tenancy
Repairs officer to notify relevant staff keys received	Within 2 hours of keys being returned
Property management officer to carry out empty home inspection	Within 1 day of keys being received
Property management officer orders repairs & any additional keys to be cut as required	Within 2 working days of keys being received
Tenancy terminated on computer system (where debit period allows)	Within 2 working days of keys being received
Completion of void repairs	Within 10 working days of being instructed
Signing of the new tenancy agreement	Within 3 working days of repairs being completed
Settling-in visit	Within 6 weeks of the signing of the tenancy agreement